
Roanoke County Administration Center
5204 Bernard Drive
Roanoke, Virginia 24018

The Board of Supervisors of Roanoke County, Virginia met this day at the Roanoke County Administration Center, this being the fourth Tuesday and the second regularly scheduled meeting of the month of July 2011. Audio and video recordings of this meeting will be held on file for a minimum of five (5) years in the office of the Clerk to the Board of Supervisors.

IN RE: CALL TO ORDER

Chairman Church called the meeting to order at 3:00 p.m. The roll call was taken.

MEMBERS PRESENT: Chairman Joseph B. "Butch" Church; Supervisors Michael W. Altizer, Eddie "Ed" Elswick, Charlotte A. Moore and Richard C. Flora

MEMBERS ABSENT: None

STAFF PRESENT: B. Clayton Goodman III, County Administrator; Diane D. Hyatt, Assistant County Administrator; Daniel R. O'Donnell, Assistant County Administrator; Paul M. Mahoney, County Attorney; Teresa H. Hall, Director of Public Information and Deborah C. Jacks, Clerk to the Board

IN RE: OPENING CEREMONIES

The invocation was given by Reverent Scot Finley of Bonsack Baptist Church. The Pledge of Allegiance was recited by all present.

IN RE: REQUESTS TO POSTPONE, ADD TO, OR CHANGE THE ORDER OF AGENDA ITEMS

Paul M. Mahoney, County Attorney added Section 2.2-3711.A.7. Consultation with legal counsel and briefings by staff members pertaining to probable litigation, namely, options with respect to the renewal of cable television franchise with Comcast Cable as a closed session item. There were no objections.

IN RE: PROCLAMATIONS, RESOLUTIONS, RECOGNITIONS AND AWARDS

Chairman Church introduced Larry Land, Director of Policy Development for the Virginia Association of Counties (VACo). Mr. Land explained he tried to visit as many Board meetings as possible in order to observe and learn. Mr. Land recognized Supervisor Flora who sits on the VACo Board.

1. Recognizing Fire and Rescue for receiving two (2) Regional Emergency Medical Services (EMS) Awards (Richard E. Burch, Jr., Chief of Fire and Rescue)

Chief Burch outlined for the Board members Division Chief Steve Simon was selected for the highest honor awarded by the Western Virginia EMS Council the Regional Excellence in EMS Award and Battalion Chief William "Bill" Duff was selected as Outstanding EMS Administrator. Also in attendance for this recognition were Jennifer Sexton, Volunteer Recruiter/Marketing/ PIO Director; Dustin Campbell, Division Chief; Jeff Johnston, Lieutenant; Tim Webster, Firefighter/EMT; Jerry Spradling, Firefighter/EMT; Jerry Parcell, Captain; Kurt Kipley, Sr., Firefighter/EMT; Josh Simmons, Paramedic/Firefighter and Rob Loan, Executive Director of the Western Virginia EMS Council.

Mr. Logan advised he was very appreciative of the support the Board has given over the years. He explained there are one hundred and five (105) agencies in the region. He detailed there were eleven (11) categories and the winners advance on to the State level. These awards are chosen of a committee of peers; winners from prior years.

All of the Supervisors offered their congratulations and appreciation for their service.

2. Resolution of Appreciation to Genevieve Henderson of the Back Creek Civic League for her service to Roanoke County (Eddie "Ed" Elswick, Supervisor)

Supervisor Elswick read a letter from Mr. Bob Adams who could not be in attendance. Also speaking on behalf of Ms. Henderson were Teresa Hall, Ronnie Love and Gerald Holt.

All supervisors stated their appreciation for Ms. Henderson's service.

RESOLUTION 072611-1 OF APPRECIATION TO GENEVIEVE HENDERSON OF THE BACK CREEK CIVIC LEAGUE FOR HER SERVICE TO ROANOKE COUNTY

WHEREAS, Genevieve Henderson has served on the Back Creek Civic League for over twenty-four (24) years, holding every office and serving as President for the past six to seven (6 to 7) years; and

WHEREAS, her unselfish, dedicated and caring service to the Back Creek and adjoining communities is legendary; and

WHEREAS, her leadership in local and countywide issues is admired and respected by all; and

WHEREAS, your neighbors appreciate your involvement in matters affecting their way of life; and

WHEREAS, staff and elected officials greatly appreciate your service and your knowledgeable input on matters brought before them; and

WHEREAS, if ever there was a characterization of a "model" citizen, they would look like Genny Henderson.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Roanoke County, Virginia, expresses its deepest appreciation and the appreciation of the citizens of Roanoke County to Genevieve Henderson for her many significant contributions; and

FURTHER, the Board of Supervisors wishes Ms. Henderson continued success in all her future endeavors.

On motion of Supervisor Elswick to adopt the resolution, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church

NAYS: None

IN RE: NEW BUSINESS

- 1. Request to purchase three (3) fire vehicles and appropriate \$1,600,000 of future equipment lease proceeds (Richard E. Burch, Chief of Fire and Rescue; Rebecca Owens, Director of Finance)**

A-072611-1

Chief Burch outlined the request and explained the fleet rotation currently in use; advised the three oldest vehicles will be taken out of service.

Ms. Owens explained the financing component of this request. She advised all prior loans have been paid and expects to do a future equipment lease in the spring of 2012 with a five to six (5-6) year lease.

Supervisor Moore inquired if the funds could be borrowed internally with Ms. Owens responding there were no additional funds to borrow from, but would look again in the spring to make sure. She advised Cave Spring, Hollins and Clearbrook would be receiving the new equipment. She stated she anticipated interest rates from

two to three point five percent (2-3.5%). There was no further discussion.

On motion of Supervisor Flora to approve the staff recommendation, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church

NAYS: None

2. Request to adopt a resolution declaring intent to reimburse expenditures for the purchase of three (3) fire vehicles from future equipment lease proceeds (Rebecca Owens, Director of Finance)

Ms. Owens outlined the resolution. There was no discussion.

RESOLUTION 072611-3 DECLARING INTENT TO REIMBURSE RES FOR THE PURCHASE OF THREE (3) FIRE VEHICLES FROM FUTURE EQUIPMENT LEASE PROCEEDS

The Board of Supervisors of the County of Roanoke, Virginia (the "County") has determined that it may be necessary or desirable to advance money to pay the costs associated with the purchase of three (3) fire vehicles (the "Project").

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA, as follows:

1. The Board of Supervisors adopts this declaration of official intent under Treasury Regulations Section 1.150-2.

2. The Board of Supervisors reasonably expects to reimburse advances made or to be made by the County to pay the costs of purchasing three (3) fire vehicles from the proceeds of its debt or other financing. The maximum amount of debt or other financing expected to be issued for the designing, acquiring, constructing and equipping the project is \$1,600,000.

3. This resolution shall take effect immediately upon its adoption.

On motion of Supervisor Flora to adopt the resolution, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church

NAYS: None

3. Request to re-appropriate \$27,000 for needed improvements and repairs at Mount Pleasant Library, Vinton Magisterial District (Diana Rosapepe, Director of Library Services; Diane D. Hyatt, Assistant County Administrator)

A-072611-4

Ms. Rosapepe explained the repairs and why they were necessary. Supervisor Altizer advised these expenses were not a duplication and the funds are being reappropriated, not adding a new appropriation. There was no further discussion.

On motion of Supervisor Altizer to approve the staff recommendation, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church
NAYS: None

**IN RE: REQUEST FOR PUBLIC HEARINGS AND FIRST READING OF
REZONING ORDINANCES - CONSENT AGENDA**

- 1. The petition of the Roanoke County Economic Development Authority to remove the proffered conditions on approximately 59.13 acres zoned I-1C, Low Intensity Industrial, District with conditions, located at 4022 Integrity Drive and 4050 Integrity Drive, Vinton Magisterial District**

Supervisor Altizer moved to approve the first reading and set the second reading and public hearing for August 23, 2011. The motion carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church
NAYS: None

- 2. The petition of the Roanoke Council of Garden Clubs, Inc. to amend the proffered conditions on approximately 2.6 acres zoned C-1C, Commercial, District with conditions, and to obtain a special use permit for religious assembly, located at 3640 Colonial Avenue, Cave Spring Magisterial District**

Supervisor Moore moved to approve the first reading and set the second reading and public hearing for August 23, 2011. The motion carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church
NAYS: None

IN RE: FIRST READING OF ORDINANCES

- 1. Ordinance amending the Roanoke County Zoning Ordinance by the addition of amendments relating to Large and Utility Wind Energy Systems, including amendments to Section 30-29 "Use Types; Generally," Various Sections In Article III "District Regulations," and a new Section 30-87-7 "Wind Energy System, Large; and Wind Energy System, Utility" in Article IV. "Use and Design Standards" (Paul M. Mahoney, County Attorney)**

Mr. Mahoney explained this is the first reading of the ordinance to amend the zoning ordinance to allow for large and utility wind energy systems. He advised the Planning Commission recommended this ordinance on May 17, 2011 and does three things: alters definitions, district regulations and under use and design standards recommends certain standard any application would be judged by if an application came before the Board. These standards include such items as setbacks, noise, shadowing and flicker, electromagnetic communications interference, speed controls, land clearing, erosion and sediment control, habitat impacts, monitoring, maintenance, removal, decommissioning as well as a variety of application requirements involving various reports and studies that the applicant would have to submit to the Board. Mr. Philip Thompson was also in attendance to answer any questions. Staff recommended a second reading and public hearing be scheduled for August 23, 2011.

Supervisor Elswick stated he felt a lot of talking and thinking needs to take place prior to the second reading and final approval of the ordinance. He indicated everyone should be allowed to speak as the Board needs input before final approval. He explained there are ordinances on the books that are designed to protect citizens' health, safety and natural environment. He advised this is one of the most critical decisions the Board has been asked to make. At issue is electric power generation, habitat of birds and animals, some of the cleanest trout streams in Virginia, fly ways and migration routes of birds, natural mountain beauty and most important, the sustainability of a rural community as residents desire them to be. Non-residents to the rural area and areas outside Roanoke County are aggressively advocating a wind farm on Poor Mountain. Area residents are strongly objecting to the total change of a community's character. The friendly, neighborly conservative consumers of electricity and slowly vanishing rural communities all over the state are fearful of the loss of their identity as the mountains may be asked to harbor giant structures with rotating three hundred (300) foot wind mill blades. Economically, the sites are a huge attraction for the developers as federal subsidies sometimes as high as ninety percent (90%) of the construction costs. Supervisor Elswick stated these are not his numbers, they are from Larry Summers to President Obama. Eventually, increased local awareness of impacts and reduced subsidies will cause wind farms to be placed only in appropriate areas where the revenues support the investment. An important consideration to County leaders is

“what will the area be like in the future” and “do today’s decisions prepare for that?” Look at what Vinton is trying to do in that area and what is happening in Glenvar, and the people on Bent Mountain are trying to do the same with a relationship with the Parkway. There are a lot of things going on in Roanoke County that are going to make it more attractive to developers and to people who might want to move into a natural area. The natural, cultural, recreational, health and business aspects here will begin to get greatly increased attention from many diverse individuals and Roanoke County may very well be on the verge of being discovered. Similar to Gatlinburg, TN and Boone, North Carolina, Roanoke County is a much better location and the Board needs to make sure it is managed correctly. He stated he had a few comments on the ordinance itself and he is bothered by the way it was derived. He advised he knows staff did a great deal of work on it, people spent a lot of time on it because it is such a new subject to the Planning Commission, County staff and to the Board. There is so much communication coming out that you have a hard time grasping all of it. Some of the engineering studies are difficult to understand, but the one hundred and ten percent (110%) setback and the sixty (60) decibels is the same for a small windmill and that makes no sense whatsoever. He stated he stood at Beech Ridge, which is a fine facility and the kind of place where large wind mills ought to be. Noise from windmills from thirty six hundred (3,600) feet away was very apparent. The Planning Commission came back and recommended four hundred and eighty eight (488) feet from the property line. He stated he guessed he does not understand what is going on and what the motivation is behind how the ordinance was derived. He stated there is a lot of work to do; the Board has a lot of thinking to do, but mainly just think about the people. Furthermore, there is a group of Bent Mountain people who asked to speak to the Planning Commission and were refused. He explained people who live near these kinds of things should be heard. There are some locations where the wind farms have setbacks of one to two miles, yet the Planning Commission set four hundred and eight-eight (488) feet. He does not understand. If the County is going to write an ordinance and the mission is to serve the people of Roanoke County, the ordinance should be conservative and if there is a choice between thirty (30) feet and two (2) miles, the Board should pick the one that protects the people, not the one that may be favorable to some other interests. The National Aeronautics and Space Administration (NASA) has done some studies and he stated he thinks the Board can rely on their objective input. The World Health Organization has done some studies; all of which are a contradiction to the numbers in the proposed ordinance. He stated he feels there are many aspects of the ordinance that the Board will be looking at over the next month or so and he encourages everyone to speak out, the rest of the Board to do a lot of research and make sure it is doing the right thing and for the second reading of the ordinance, he would like to have presented to the Board some of the other ordinances that are more stringent than the ones shown to the Board from which the ordinance was derived. He stated he knows a great deal of effort went into the ordinance, but he does think the people ought to be able to express their opinion, they do provide the funds that pay salaries and cover expenses of

Roanoke County. It is their homes and their communities that would be affected very much and those are not for sale. Supervisor Elswick stated for an ordinance that is used in the pursuit of windmills, the Board must show due diligence, elements that the Board is knowledgeable of and can become quickly educated. It is difficult from looking at the website and all of the paper the Board receives and can probably be explained by people who spend a lot of time doing research. There is one such person, Dr. Burdisso from Virginia Tech. Supervisor Elswick stated he thinks the Board should take advantage of his knowledge and anyone else that will provide the Board with a credible, nonbiased input so that the Board can make the right decision on what the ordinance ought to look at. He stated he thinks the large windmills at Beech Ridge are great; they would probably work great on mountaintop removal sites. If these are put on Poor Mountain, a mountaintop would need to be removed and then it would look very much the same. There are places they can go and there are places they should not go. He further explained this ordinance should not end up being something that citizens who are going to have to live near the large turbines, are going to fight their government to try to get the ordinance revised. Supervisor Elswick stated he apologized for talking more than normal at a first reading, but felt since he represents the area he would say a few words.

Chairman Church stated at the public reading and second reading any and all will be heard. There is a time limitation, but the Board has never turned away anyone. For those watching from home, everyone will be heard. If assistance is needed, please contact the Clerk. Chairman Church then advised he would allow the speakers signed up to speak on this item to speak now.

Mr. Steve Hanes lives at 10250 Mill Creek Road on Bent Mountain stated when it comes to large scale and industrial turbines, what we have here is a community divided; some focus on ideology, while others of us deal in reality. These two sides who are the most vocal are the ones heard at these meetings. He then stated there are also those in the community who are uninformed or the apathetic. We hope to inform and motivate many of them as we move forward. What we are considering here today is how to develop a zoning ordinance, and he agrees, there needs to be a reasonable zoning ordinance to regulate wind energy. He stated the way he sees the purpose for developing this ordinance is to establish a reasonable set of standards relevant to the control and regulation of large or industrial wind turbines in order to make it possible for citizens of this County to, as it says in the zoning regulation, "peaceably enjoy their property." The focus here should be on the citizens of Roanoke County; not some potential future energy company applicant. What the citizens are asking of the Board, our Supervisors, is for the Board to give what the citizens do not believe they received from the Planning Commission; specifically, an ordinance that establishes conservative land use regulations favorable to the protection of the citizens of our County, as required by the zoning code, rather than liberal regulations favorable to wind energy companies. The underlying guideline here should be, if you error in this process, error in favor of our citizens of Roanoke County. He stated for him, the two huge issues in this

ordinance that need to be addressed are "setbacks" and "noise": In the current ordinance proposal, setbacks are insufficient; one hundred and ten percent (110%) of the height of the turbine; that kind of setback could be used for static structures like telephone poles on flat land. Turbines are huge kinetic energy structures on mountain tops. If they fall, they fall because of some force, they fall down hill propelled by the high velocity energy that caused them to fall; they will not just "flop over" and lie still; they will travel as they fall, so one hundred and ten percent (110%) does not seem reasonable for that size of structure of kinetic energy that is associated with it. Many other places look at setbacks should be in the one point five to two (1.5 to 2) mile range. The current ordinance proposes sixty (60) decibels in the dBA range from the nearest dwelling. It is an undisputed fact, average ambient rural sound is twenty-five (25) dBA at night, yet this ordinance proposes sixty (60) dBA at the nearest dwelling that is six point five (6.5) times louder than ambient sound in a rural community at night. He stated he does not understand how six point five (6.5) times normal sound in the community could be construed as erring in favor of the community or the citizens; it seems to him it is excessive. He hopes that something along the line of thirty (30) decibels at the lot line, not the nearest home might be more effective. In conclusion, Mr. Hanes suggested taking a commonsense approach; consider that setbacks and noise are interrelated; if the Board can fix the setback issue, the noise issue may be solved. He stated he is asking the Board to take a conservative approach in looking at setbacks and noise levels because the two are combined in this ordinance. There has been a great deal of talk heard when he has sat in on the Planning Commission meetings to "let this pass this way because the special use permit process will take care of." Mr. Hanes stated he would like to save the special use permit process to do what it was designed to do and that is to make an exception to the rule, if necessary and push that further down the road. Accordingly, if the regulation is tightened up in the beginning, the process may resolve itself.

Mr. Eldon Karr of 8011 Poor Mountain Road, Bent Mountain, Virginia stated he has provided each Board member a written packet of information from Bent Mountain or Poor Mountain, the area. This packet can be recognized by the distinctive cover and there are five (5) sheets that represent what are called "hidden treasures" of Poor Mountain. With reference to the "large and utility industrial scale wind turbine" amendment to the Roanoke County Zoning Ordinance: the amendment in its current form is not ready to be adopted as a functionally viable element of our zoning ordinance. It is the charge of the Planning Commission and this Board to protect the "public interest" by determining the "highest and best use" for land within Roanoke County. As an architect and a citizen, he has been discouraged by the County Attorney and planning staff, from focusing his evaluation of a proposed project by Invenergy, LLC as rational for opposing or accepting the current amendment to the ordinance. The reason is that NO application has been formally presented to the County. However, many acknowledge that the proposal by Invenergy, LLC, was a major impetus for the pursuit of this amendment. To determine "highest and best use" you MUST dedicate

adequate and appropriate resources to evaluate a "cost-benefit analysis" related to a proposed land use. We must intend to develop a minimum set of guidelines for such developments prior to an application for the type of use. By deferring such "appropriate" decisions to a "to be determined" issue, don't we just procrastinate the complex decisions to a time when the pressure and the timeframe for decision is even more contentious and difficult? He proposed it is time for us, on the local level, to make clear decisions for our future, based upon our unfettered, direct, personal, scientific evaluation of viable land uses. He stated he has a good understanding of the public issues the Board faces in their position as Supervisors. He respects the Board members for the time each dedicates to their community. Mr. Karr then asked the Board to please thoroughly evaluate the scientific basis for claimed benefits for such a proposed "land sacrifice". Further, while the public impact of specific details of all proposals warrant review, we, as public representatives and advocates retain the responsibility to, particularly with fair warning, protect the best interest of our constituency, by fully understanding the minimum standards set forth.

Sue Karr of 8011 Poor Mountain Road in Bent Mountain, Virginia first introduced her service dog "Daisy." She stated she would like to talk a little bit about the idea of community when talking about writing an ordinance. We think about the people and the land, the best and highest use of the land. She advised she would like to share with the Board some of the things she knows about the Bent Mountain Community. When she and her husband bought a piece of land and an old log cabin on Bent Mountain, thirty-five (35) years ago, they were fulfilling their dream of living on a mountain surrounded by pristine forests and wildlife. Living on the mountain and raising their children, they soon became part of a community of many other families who shared the same ideals: love of the land, the wildlife and the peace that permeates such a place. Her family and her neighbors roamed the mountain, discovering and learning about the abundant wildlife, the pure streams, and lush plant life. Some of us led wildflower walks and bird watching treks. All the while, the Bent Mountain Community bonded with this amazing land and shared stories of rural life, like the time a rare spotted skunk took up residence under her kitchen sink or when her neighbor found a huge black snake napping in her dishwasher when she opened it one morning. Over the years, we've shared the wealth of Bent Mountain with people who've come to hike and camp out in the beautiful rugged terrain. Poor Mountain has often been the destination for those of us seeking the experience of the diverse ecosystems on this highest mountain that overlooks the Roanoke Valley. Recently, on Poor Mountain, three point two (3.2) miles of trail have been added to the Virginia Birding and Wildlife Trail System, designated "Poor Mountain Ridgeline Drive". Between 2009 and 2010, 3,730 migrating raptors were counted here, including six (6) bald eagles. We are people who cherish rural living and stand strongly together respecting it. So she asked the Board to consider her story when they write this ordinance that will affect the citizens of our community. We have high expectations that the Board will protect our right to the peaceable enjoyment of our properties.

Karen Scott of 8443 Poor Mountain Road stated she has resided in Roanoke County over forty-five (45) years; she is a business owner, home owner and landowner of over two hundred (200) acres in Roanoke County. She stated she and her husband have grown children who want to build their homes on this land. She has had a soil-scientist business here for almost thirty (30) years and is also presently the administrator of the new private academy on Bent Mountain. She indicated the new academy draws families and teachers from two (2) other counties and Roanoke City who spend money in Roanoke County on their way, two (2) families hope to build in Roanoke County, due to the academy location. Low frequency noise, however, threatens all this. Everyone has felt it, base music too loud in some other vehicle while you are at a stop light with your car windows closed. It is not pleasant. In homes, businesses or schools with windows closed, low frequency noise generated from industrial wind turbines in mountainous areas penetrate these structures for miles downwind. This is a documented health hazard to people in structures; up to three to five (3 to 5) miles from wind turbines in the mountains. In June, she stated she traveled in Wyoming and Utah and saw established industrial wind sites; only one (1) site had any houses within miles of them. Four (4) clustered homes in Wyoming were less than one (1) mile from one site and these houses may have been abandoned. In Umatilla County, Oregon is the site of the first industrial wind site in the Pacific Northwest. This was in 1998, in June 2011, just last month, a ruling of the Commissioners in Umatilla County, Oregon established setbacks from wind turbines to rural homes at two (2) miles or twenty (20) times the turbine height, whichever is greater. This is not even mountainous land. This is happening across the nation. These once cutting-edge counties of the wind turbine novelties have to deal with their previously uninformed decisions on their ordinances due to overwhelming valid problems. Now, they are making informed, strict ordinances to protect the citizens as the new turbine sites and new companies wrangle to get government subsidies in their counties. This proposed ordinance will change our communities, the new academy location, and loss of land and house values in sales in area investments. We and many others will have to leave their homes, our investment of decades and centuries should this wind industrial site materialize. This involves hundreds of lives and thousands of acres. She asked why is the Planning Commission supportive or so uninformed on this. She stated her humble advice to the Board is "don't take candy from strangers, don't try and reinvent the wheel" and learn from others mistakes. It takes guts to stand up and do what is right, so she prays the Lord will give the Board his wisdom and his strength to do what is right in establishing a safe ordinance for all of Roanoke County citizens.

Carl Smith who lives at 225 Cobble Lane on Bent Mountain stated the folks in attendance are his neighbors and he shares their sentiments and wished he could speak as well as they did. He told the Board he and his family had owned land in Roanoke County for twenty (20) years. Two decades ago, he explained he and his wife took many rides throughout Virginia trying to find a place where they could live and raise a family. They moved from Virginia Beach and own land on top of Poor Mountain,

acreage for recreation and live on top of Bent Mountain. He stated he is just hoping that the Board has had a chance to consider what potentially fifty-four (54) metal giants up on the mountain ridge are going to look like to the folks that live on Bent Mountain and Poor Mountain. He cannot imagine that folks would want to build their homes in his neighborhood, he lives in Stone Ridge, there are forty-two (42) lots, nine (9) have homes, thirty-three (33) with no homes. The developer is hoping he will be able to sell to folks who will build some nice homes up there, but not when what they are going to be looking at are metal wind mills, gigantic metal wind mills. He stated he knows the purpose is to write an ordinance and he appreciates that the Board is allowing the citizen to speak, himself especially emotionally about where he lives. He explained after a long days work, they like to sit on his porch and look up at the mountains. He does not own those mountains, some elsewhere, but not where the proposed wind mills are thought of going up and those people have a right to make money with their land, to make decisions regarding their land, however, this is a decision that will effect a whole lot more than just those landowners and he respectfully asks that the Board try to wear his shoes and appreciate what the impact will be to all of us. He apologized for his voice and stated this was emotional for him. He thanked the Board for the job they do and it has been stated already, but it is a big job the Supervisors have, and are certainly not paid for what the Board has to do. He then thanked the Board for looking out for the citizens.

Supervisor Flora then asked if the Board decides not to adopt any ordinance, what impact would that have on an application for wind mills on Bent Mountain. Mr. Mahoney advised he believed an application could still be submitted to the Board under the existing zoning ordinance. He stated he thinks there is clearly some opportunity for disagreement with respect to applicability of the existing ordinance provisions, but as he looks at the existing ordinance and the zoning administrator has looked at the existing ordinance, it is seen the existing ordinance has only a hand full of standards, none of which are really addressed as the draft ordinance does and of those six or eight standards, two of them really deal with water and sewer issues that would be in many ways irrelevant to an application for large utility energy systems, i.e. wind mills. He stated his concern would be and his advice to the Board is, leaving aside some debate or discussion over the merits of different elements or standards in the draft before the Board, what the Board has in the current ordinance is probably inadequate to address all of the issues and all of the concerns that many citizens would raise with a future application. Again, he stated this is speculative as there is no application before the Board, so it is hard to pinpoint exactly how that would apply. He stated he understands, there is some expression of interest by Invenergy, but at the same time, he feels an application could be forthcoming for Tinker, Catawba or Windy Gap and he thinks staff is trying to develop a uniform approach. So, what is contained in the existing ordinance has some standards, nowhere near the detail, the breadth, the length of what this draft has before the Board. He stated he believes the current ordinance would not give the Board sufficient tools to what he believes would be required or

demand various reports, studies, analysis on all the topics that are addressed. Again, leaving aside the merits of what the standards are, he thinks what staff has attempted to do by looking at other ordinances from other states and other localities identified many of the key standards that would be applicable to any application. He stated he believes the Board would be in a stronger position with respect to making a decision because the Board would be demanding and requiring more and better data, information with respect to the draft that is before the Board.

Supervisor Flora then asked if this issue is debated and prolonged out over the next five or six months and nothing is done, and an application comes it during the interim and then the Board decides to do something quick and immediately adopts an ordinance. He then asked if the applicant would fall under which of the two ordinances. Mr. Mahoney stated there is a fairly significant amount of authority that would state the application should be judged by the ordinance that is in place at the time the application was made. He hastened to add though there is a minority opinion in which a local governing body has been able to amend or change its ordinance and that amended or changed ordinance is what was applied to a pending application. An example of this is the Town of Blacksburg and the proposed big-box store that was proposed three (3) years ago. There is a minority opinion that a local governing body can in effect change the rules of the game and have those changed rules applied to a new application. He stated he thinks the majority opinion is that if an application is filed, the application should be judged by the ordinance, the rules and the standards that are in place at the time the application is made.

Supervisor Flora then asked when staff refers to standards in our ordinance, are those standards rigid and must be met or are more or less a guideline and let's use the example of decibels because that seems to have attracted the most attention. If the applicant was at sixty-two (62) decibels, would that eliminate that applicant from consideration? Mr. Mahoney responded by stating no, the standards are more in terms of a guideline saying to any applicant, these are the issues that must be addressed up front, but the Board still retains the inherent discretionary authority under the special use permit to tighten or relax those standards based upon the unique characteristic of that property with that special application and at this point the Board does not know what that property is or what the application is, but the intent or idea of the whole special use permit process is to provide a maximum amount of discretionary authority to a local governing body to adjust those standards based upon the unique characteristics of the property and the surrounding and neighboring properties that would be effected by that application.

Supervisor Elswick stated that his impression of an ordinance is that it is a lot more than a guideline, it is closer to being a law than a guidelines and to the citizen in a rural area living with an ordinance that says you cannot subdivide unless you have two hundred and fifty (250) feet of road frontage; it is not a guideline, it is a very definite law-like ordinance that says that's it. So, he believes any ordinance that is written should have as much factual data and be as precise as it can be made. Mr. Mahoney

stated Supervisor Elswick is correct in that County ordinances have very specific hard-line standards, but the Board, when it creates an opportunity for special exception permit, attempts to reserve for itself some opportunity to apply some discretion. Supervisor Elswick reiterated an ordinance is not a guideline; either that or he is unaware of what they really are.

Chairman Church asked if the two items in question are the setbacks and the noise and if he is hearing Mr. Mahoney correctly, any application that would come before the Board with a ten (10) percent or sixty (60) decibels could be easily made to thirty percent (30%) and twenty-five (25) decibels at the discretion of the Board. Mr. Mahoney responded in the affirmative; however he hastened to add the Board's history with respect to other special exception permits has been to tighten or increase the standards and not necessarily lessen the standards. Chairman Church stated the Board can go up or down, lax or more strict. Mr. Mahoney responded in the affirmative and stated he would concur with Mr. Hanes comments that the standards that triggered the most discussion, the noise and the setbacks standards, but would hasten to add there are other significant standards that should not be overlooked, particularly habitat protection, electromagnetic communications interference and the entire issue of maintenance removal and decommissioning. The Board may recall back in February when the small wind energy was done, there was a tremendous amount of discussion about the decommissioning elements. He agreed with Mr. Hanes, the noise and setbacks are very crucial and indeed he thinks as he suggests probably establishes the key elements of your standards; if you solve one problem the other would probably be solved by virtue of the other, but there are other elements that can have just a significant effect.

Supervisor Altizer stated the beauty of the special use permit is that the Board can tailor it, you can paint with sometimes in certain places a narrow swath, and you can go wider in some areas. The Board can amend, adopt, change, add to and take away depending on the property or the area of the County. He stated he was surprised that Invenergy is looking at other areas based on the article in Sunday's Roanoke Times. The issue is, with all due respect, he does not know when the next company is coming to look at Ft. Lewis Mountain, Windy Gap or Catawba or Green Ridge. This ordinance is about Roanoke County as a whole. Some areas fit better than other areas, but the defining moment comes in constructing this ordinance and the Chairman did appropriately schedule this first reading for today and the public hearing a month later to give everyone time to dig even more in depth as to what the ordinance is and to answer any questions. He stated he believed Mr. Mahoney would agree with him if a petitioner were to come and the ordinance was not changed right now with the current setback and under the section of the code that it comes under is one hundred (100) feet from a house. He stated he believes everyone in this room and especially the people in his district if they thought he allowed something to get by, they would probably "hang" him if he had the opportunity to correct. Currently, nothing has been brought before the Board; however, everyone knows Invenergy will eventually put forward a

petition. This ordinance is somewhat law and somewhat guideline, because there are certain things you can somewhat do and some things the Board can change. He stated he does not think whether you have fifteen hundred (1,500) feet from a house or two thousand (2,000) feet from a house is going to make any difference because it is going to be whatever the Board feels is appropriate. He stated he has not walked the land on Bent Mountain where this is going to go, but when a petition comes forward he can guarantee he will. The most important thing the Board needs to do and the Board is charged with right now is to protect each and every citizen in every district to position Roanoke County to be in the best possible shape to make the best decision it can. He stated in order to do so; there must be laws and guidelines, because they all run parallel with other. Supervisor Altizer explained it is just like when a developer submits a set of plans, there are things that have been put out there, but there are words, i.e. substantial conformity, what does that really mean. There are things the Board needs to do, things to position Roanoke County to be in the best interest of protecting the citizens. He reiterated there must be guidelines and the Board must act on the petition when one is effectively presented and it will be judged then. He explained it may be two thousand (2,000) feet from the house, maybe one thousand (1,000) or five thousand (5,000.) He stated what he knows in his heart is that Roanoke County has to have an ordinance. He then asked if the is motion is approved and the second reading for legal advertising is scheduled for August 23, 2011, it is his suggestion the public hearings be started at 6:00 p.m. instead of the normal 7:00 p.m. based on the number of other hearings.

Chairman Church stated he has already made a note to change the time.

Supervisor Moore stated she would like to reemphasize as Mr. Mahoney stated, decommissioning, birds, maintenance all of these items that the Board has heard the concerns and if and when something is brought before the Board, those same questions will be asked and the Board will try to protect the citizens as much as they can. She stated she was in agreement guidelines/ordinances need to be put on the books.

Supervisor Flora stated in his mind there is no question an ordinance is in the best interest of not just the people on Bent Mountain, but all in Roanoke County. He thinks the debate is what will be the content of the ordinance and that does not happen at first reading, the second reading or a subsequent meeting after that. He emphasized the second reading must be held before the Board can take in the public's input and come to an agreement as to what the contents will be. He stated at a previous work session he does not like the one hundred and ten percent (110%) setback, he would like to see it further away than that, but this is not the time to do that. If the ordinance does not get to second reading, what is currently on the books will have to stand and he does not think that is in anyone's best interest.

Chairman Church stated each Board member recognizes the importance of protecting the citizens by getting to the second reading.

Supervisor Elswick moved to approve the first reading and set the second readings and public hearing for August 23, 2011. The motion carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church
NAYS: None

- 2. Ordinance authorizing the purchase of approximately 0.454 acre of real estate (Tax Map No. 87.07-3-7) adjacent to the Roanoke County Administration Center from Franklin Real Estate Company, Cave Spring Magisterial District, and appropriating \$40,000 from the Minor Capital Fund (Paul M. Mahoney, County Attorney)**

Mr. Mahoney outlined the request for this ordinance and explained staff intends to use for overflow parking and a secondary access to Penn Forrest Blvd.

Supervisor Moore moved to approve the first reading and schedule the second reading and public hearing for August 23, 2011. The motion carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church
NAYS: None

- 3. Ordinance amending Chapter 13 – “Offences-Miscellaneous” Article I – “In General” of the Roanoke County Code to provide for regulation of pneumatic guns in Roanoke County (Paul M. Mahoney, County Attorney)**

Mr. Mahoney explained the request for ordinance which is required in order to be in compliance with the Virginia General Assembly.

Supervisor Elswick inquired if air guns were prohibited in the County code prior to this directive. Mr. Mahoney explained they were prohibited under Section 13-4 of the County code. The existing County code does have some language that deals with lawfully and safely being engaged in shooting. He stated he does not believe the current County code goes as far as the directive from the General Assembly. He advised when preparing the ordinance he has looked at what other local governments in the Commonwealth have done to better comply with the General Assembly directive. Supervisor Elswick stated he would like to remind everyone that some of the new guns fire a projectile that is thirteen hundred (1,300) feet per second, which makes it just as dangerous as a 22 rifle and faster than some pistols. He just wants everyone to be aware of the fact they are not BB guns, they are devices that can be very dangerous.

Supervisor Flora stated there are high-end pellet guns that are twelve to thirteen hundred (1200-1300) feet per second and if research is done on the internet, these guns are capable of killing up to a two hundred (200) pound boar, imagine what that would do to the neighbor's dog or cat. To him, there still seems to be a bit of insanity in the General Assembly and feels this is part of it.

Chairman Church moved to approve the first reading and set the second reading for August 23, 2011. The motion carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church
NAYS: None

IN RE: APPOINTMENTS

Chairman Church appointed Christina Flippen to represent the Catawba District for a one-year term on the Capital Improvement Program (CIP) Review Committee.

Supervisor Elswick appointed Murray Cook to represent the Windsor Hills District for a three-year term on the Parks, Recreation and Tourism Advisory Commission.

Confirmation of all appointments was added to the Consent Agenda.

IN RE: CONSENT AGENDA

RESOLUTION 072611-5 APPROVING AND CONCURRING IN CERTAIN ITEMS SET FORTH ON THE BOARD OF SUPERVISORS AGENDA FOR THIS DATE DESIGNATED AS ITEM I- CONSENT AGENDA

BE IT RESOLVED by the Board of Supervisors of Roanoke County, Virginia, as follows:

That the certain section of the agenda of the Board of Supervisors for July 26, 2011, designated as Item Consent Agenda be, and hereby is, approved and concurred in as to each item separately set forth in said section designated Items 1 through 3 inclusive, as follows:

1. Approval of minutes – June 28, 2011
2. Request to accept and appropriate \$10,000 in additional contributions from Catawba Volunteer Fire Department toward the Catawba Mini-Pumper purchase
3. Confirmation of appointments to the Capital Improvement Program (CIP) Review Committee; Parks, Recreation and Tourism Advisory Commission; Roanoke Valley Sustainability Consortium Steering Committee

On motion of Supervisor Altizer to adopt the resolution, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church
NAYS: None

A-072611-5.a

A-072611-5.b

IN RE: REPORTS

Supervisor Flora moved to receive and file the following reports. The motion carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church
NAYS: None

- 1. General Fund Unappropriated Balance**
- 2. Capital Reserves**
- 3. Reserve for Board Contingency**
- 4. Treasurer's Statement of Accountability per Investment and Portfolio Policy as of June 30, 2011**
- 5. Accounts Paid-June 2011**
- 6. Report of Claims Activity for the Self-Insurance Program**
- 7. Quarterly End of the Year Report – Community Development Activities**
- 8. Proclamation signed by the Chairman**

IN RE: CLOSED MEETING

At 5:04 p.m., Chairman Church moved to go into closed meeting following the work sessions pursuant to the Code of Virginia Section 2.2-3711 A 2.2.3711.A.1. Discussion concerning the appointments to the Economic Development Authority; South Peak Community Development Authority; Virginia's First Regional Industrial Facility Authority; Virginia Western Community College Board and Section 2.2-3711.A.7. Consultation with legal counsel and briefings by staff members pertaining to probable litigation, namely, options with respect to the renewal of cable television franchise with Comcast Cable. The work session was held from 5:38 p.m. until 5:53 p.m. The motion carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church
NAYS: None

IN RE: WORK SESSIONS**1. Work session on the Inmate Work Program (Daniel R. O'Donnell, Assistant County Administrator, Michael Winston, Sheriff)**

In attendance for this work session was Daniel R. O'Donnell, Assistant County Administrator; Sheriff Michael Winston; Major Charles Poff; Deputy Sheriff Mark Crouch and Mark Courtright, Assistant Director of Parks, Recreation and Tourism.

Sheriff Winston advised the program has been a huge success and working with Mr. Courtright has been great. Major Poff then went through a PowerPoint presentation to update the Board. He indicated the program provides a good environment to get the inmates out of the jail assists Parks and Recreation and has saved money for the citizens of Roanoke County. A copy of the presentation is on file in the office of the Clerk to the Board of Supervisors.

Supervisor Altizer inquired if there was a dollar amount with Major Poff advising the value of the program to Roanoke County is \$68,743.

Major Poff indicated the program was value added and cost efficient.

Mr. Courtright indicated this was a win/win/win program across the board and indicated quality work is being done. The work session was held from 5:19 p.m. until 5:37 p.m.

2. Work session on an ordinance amending Chapter 13. – “Offenses-Miscellaneous” providing for an urban archery deer season in Roanoke County (Paul M. Mahoney, County Attorney)

Mr. Mahoney outlined the draft ordinance that has been prepared at the request of Supervisor Elswick. The original program started back in 2002 with the goal to reduce or manage deer populations. If Roanoke County wants to take advantage of this program, the Chairman or County Administrator would need to write a letter to the Department of Game and Inland Fisheries. He indicated action on this item must occur before April 1, 2012 for the 2012/2013 hunting season. Basically, it expands the hunting season for bow and arrow and crossbows. He explained it is a permissive program; the Board does not have to adopt an ordinance. Based on information from other localities, other localities have adopted a local ordinance to try to place some restrictions or limitations on the activity. Accordingly, he has drafted an ordinance that attempts to mimic some of the restrictions already in place while hunting with firearms. He indicated he did not place in the ordinance a limit or applicability of this urban archery season to certain areas by zoning districts. He is not recommending as a lot of citizens do not know what zoning district they are in. A second limitation that some localities have put in place has to do with a minimum acreage amount. This was not put in the ordinance. He explained there is some concern that the deer may not die where it is shot and continue to run into other areas.

Supervisor Elswick inquired if there is an ordinance, could there be a restriction and limit to larger size lots. Mr. Mahoney inquired if there was any difference with a crossbow, with Supervisor Elswick responding a crossbow is more accurate. He advised he is for extending the season.

Supervisor Moore stated she is in agreement with extending the season only. She indicated crossbows are just as powerful as a gun and if the hunter is in an urban area and the target is missed could create a very dangerous situation. She is in agreement with extending the hunting season.

Supervisor Flora explained the deer are going to run regardless. He stated he thinks there needs to be protection as to where you can hunt. Mr. Mahoney asked if he would prefer by acreage or zoning districts. Supervisor Flora stated he is in agreement that most people do not know where zoning districts begin and end. He stated if you are shooting with a bow, if you are a true bow hunter, you are not shooting past 50 yards and that is a long way to shoot. He suggests a limit of distance from the property line and a distance from any dwellings.

Supervisor Elswick remarked so far, hunters have been very safety conscious. Supervisor Flora commented that if urban hunting is allowed you will get more people that normally do not go out hunting.

Supervisor Altizer inquired if the regulations stated you must hunt from a stand, with Mr. Mahoney responding that is contained in the ordinance.

Supervisor Moore inquired if there was a possibility of increasing the limit. Supervisor Elswick stated the limit should be increased.

Mr. Mahoney inquired if it was the pleasure of the Board to invite someone from the Department of Game and Inland Fisheries to discuss this issue. It was the consensus of the Board for Mr. Mahoney proceed with the invitation. Mr. Goodman stated he believes this should be done sooner rather than later. The work session was held from 5:38 p.m. until 5:53 p.m.

IN RE: CERTIFICATION RESOLUTION

At 7:00 p.m., Chairman Church moved to return to open session and adopt the certification resolution.

**RESOLUTION 072611-6 CERTIFYING THE CLOSED MEETING N
CONFORMITY WITH THE CODE OF VIRGINIA**

WHEREAS, the Board of Supervisors of Roanoke County, Virginia has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Board of Supervisors of Roanoke County, Virginia, that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Roanoke County, Virginia, hereby certifies that, to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting which this certification resolution applies; and

2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of Roanoke County, Virginia.

On motion of Supervisor Church to adopt the resolution, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church
NAYS: None

IN RE: PUBLIC HEARINGS AND SECOND READINGS OF ORDINANCES

1. The petition of Angelo R. Gianni, Jr. to obtain a Special Use Permit in a R-1, Low Density Residential, District for a multiple dog permit on 1.02 acres, located at 6539 Fairway View Trail, Windsor Hills Magisterial District (Philip Thompson, Deputy Director of Planning)

Mr. Thompson outlined the petition for a multiple dog permit and advised the Planning Commission had approved on July 5, 2011, and limited the number of dogs to four dogs and imposed a twenty-five (25) pound per dog weight restriction and made the permit non-transferable. Supervisor Altizer inquired that the requirements were under the current ordinance with Mr. Thompson responding three dogs with no limitation on size.

Supervisor Elswick stated the adjoining neighbors are concerned about excessive barking and Supervisor Moore asked are they kept outside, are they brought in at night. Mr. Gianni responded the dogs are mainly kept indoors.

Mr. Gianni advised when they moved to Roanoke, they had four dogs and had to give one to his brother-in-law when they found out they were over the limit. He explained these are well-behaved dogs that sleep at the foot of their bed. He indicated there was only one dog at twenty-five (25) pounds, all the others are well below the limit. He advised they wanted to bring the fourth dog back who is a Yorkshire Terrier ("yorkie") and weighs five point five (5.5) pounds. Supervisor Elswick suggested that he get to know his neighbors and take them a cake.

One citizen spoke in opposition of this petition. Mrs. Barbara Weiserbs of 6538 Fairway View Trail in Roanoke Virginia stated she is not the neighbor that complained about the barking. She read the request and was at the Planning Commission meeting and was disappointed the Gianni's were not there, because there were a lot of questions that probably could have been answered. Her biggest concern is she understands they do not want to give up their dog, but could they keep it at four and not five. Why would they request five (5) dogs? Mr. Thompson responded the petitioner requested five (5) in case they wanted another dog. The Planning Commission recommended four (4) instead of (5) dogs. Mrs. Weiserbs stated if you

have four dogs and you love them, that is fine, but the fifth dogs raised a red flag for her to question if they are into breeding, why five (5) dogs. Are they not happy with four (4?)

Mr. Gianni explained his family had five dogs in Ohio, which is why they petitioned for five dogs, but does not have an issue with four.

Supervisor Altizer stated he did not have a problem supporting approval of this, but who is going to monitor twenty-five (25) pounds. Mr. Thompson explained this will only be investigated if a complaint is received.

**ORDINANCE 072611-7 GRANTING A SPECIAL USE PERMIT
FOR A MULTIPLE DOG PERMIT FOR FOUR (4) DOGS ON 1.02
ACRES LOCATED AT 6539 FAIRWAY VIEW TRAIL, WINDSOR
HILLS MAGISTERIAL DISTRICT, UPON THE PETITION OF
ANGELO R. GIANNI, JR.**

WHEREAS, Angelo R. Gianni, Jr. has filed a petition for a special use permit for a multiple dog permit for five (5) dogs on 1.02 acres located at 6539 Fairway View Trail (Tax Map No. 66.04-1-29) in the Windsor Hills Magisterial District; and

WHEREAS, the Planning Commission held a public hearing on this matter on July 5, 2011; and

WHEREAS, the Board of Supervisors of Roanoke County, Virginia, held a first reading on this matter on June 28, 2011; the second reading and public hearing on this matter was held on July 26, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Roanoke County, Virginia, as follows:

1. That the Board finds that the granting of a special use permit to Angelo R. Gianni, Jr. for a multiple dog permit on 1.02 acres located at 6539 Fairway View Trail in the Windsor Hills Magisterial District is substantially in accord with the adopted 2005 Community Plan, as amended, pursuant to the provisions of Section 15.2-2232 of the 1950 Code of Virginia, as amended, and that it shall have a minimum adverse impact on the surrounding neighborhood or community, and said special use permit is hereby approved with the following conditions:

- a) The Multiple Dog Permit shall be for a maximum of four (4) dogs not to exceed twenty-five (25) pounds each.
- b) The Special Use Permit shall be issued to Angelo R. Gianni, Jr. only, and shall not be transferable to any other subsequent property owner. It shall be the responsibility of Mr. Gianni to notify the Zoning Administrator, in writing, of the transfer of ownership of the property within thirty (30) days of the transfer.

2. That this ordinance shall be in full force and effect thirty (30) days after its final passage. All ordinances or parts of ordinances in conflict with the provisions of this ordinance be, and the same hereby are, repealed. The provisions of this special use

permit are not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder. The Zoning Administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this ordinance.

On motion of Supervisor Elswick to adopt the ordinance, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church

NAYS: None

IN RE: CITIZENS' COMMENTS AND COMMUNICATIONS

The following citizens spoke: Mr. Noah Tickle of 1603 Frosty Lane in Salem, Virginia and has been a Roanoke County resident since 1956 and a landowner and taxpayer since 1965. He stated Gro Harlem Brundtland, vice president of The World Socialist Party, authored and presented a report in 1987, "Our Common Future." Her report introduced the world to sustainable development. The term was first offered as Official United Nations Policy in 1992, in a document called "United Nations Sustainable Development Agenda 21." From this socialist agenda, an organization called The International Council for Local Environmental Initiatives, commonly known as ICLEI, is now part of many local governments, including Roanoke County. Did you say, "Why should I care?" You should care. We have not cared for too long. Our liberty is being compromised by these socialist initiatives. Their efforts (one way or another) are to move homeowners and landowners into close-quartered urban development areas. Their foundational belief is that human beings are contaminating the earth and can best be managed their way, in tight-quartered urban development areas. How does that work in our large cities suffering from crime, housing and traffic, not living the American dream? How well is this socialist agenda working for European communities with constant economic and social upheavals? At the last meeting, Representative Altizer expressed some of these nightmarish results of this anti-American living. No-one, no-one disagrees with Representative Moore on the value of clean air and water. That is not it, what it is that we need local governance on our issues. We do not need socialist Agenda 21 from the United Nations.

Chairman Church reminded Mr. Tickle to address all comments to the Chairman and to refrain from naming individual names.

Representative Elswick indicated sometimes "we need to say no." That "no" to him means we have had enough of top-down governments.

Chairman Church reminded Mr. Tickle to address all comments to the Chairman and to refrain from naming individual names.

Our founding documents indicate local governance would not be subordinate to federal rule. Today, that is reversed. The Board needs to continue to say "no". By taking steps backward to our constitution where public governance, we have local talent for governance, Roanoke County does not need anything from the United Nations (UN) as governance, it is unconstitutional on all levels. "We the people" have had enough as indicated by the Chair and another representative. Let us say "no" now, remove ICLEI from Roanoke County, Virginia.

Mr. Donald Koop of 6700 Christopher Drive in Roanoke, Virginia 24018 stated he would like to express his concerns about ICLEI (International Council for Local Environmental Issues), Roanoke County's membership in the group and the attachment of the group to the UN's Agenda 21. Agenda 21 was adopted in 1992 as part of a global plan for what it called "sustainable development." ICLEI was formed in 1990 at the UN in New York. ICLEI is an international association of local governments, as well as national and regional local government organizations, who have made a commitment to sustainable development. A search of its website for the words "climate change" produced more than 24,000 hits leading to the conclusion that climate change is a significant part of what ICLEI studies. The UN's feelings about land were first officially articulated at the UN Conference on Human Settlements in 1976. The Preamble to the Conference Report says, in part: "Land...cannot be treated as an ordinary asset, controlled by individuals and subject to the pressures and inefficiencies of the market. Private land ownership is also a principal instrument of accumulation and concentration of wealth and therefore contributes to social injustice; if unchecked, it may become a major obstacle in the planning and implementation of development schemes. The provision of decent dwellings and healthy conditions for the people can only be achieved if land is used in the interests of society as a whole. Public control of land use is therefore indispensable." As a citizen of a country where ownership of private property is a guaranteed right, he cannot accept involvement by his local government with an organization holding such a belief. It seems that Roanoke County has gotten involved with a UN-sponsored effort to, in part; manage the use of private property in a way that will reduce the contributions of residents to climate change. Now, it's no secret that climate change, and particularly the anthropogenic (or man-made) contributions to it, are exceedingly controversial. Yet, seemingly without sanction by citizens at the local level or Congress at the federal level, Roanoke County is spending taxpayers' money in support of sustainable development designed to solve a problem that may not exist: man-made global warming. On the "Roanoke County Future Land Use Map, his property is in a "Rural Village" area. Development in these areas will be approved (or not) using a series of guidelines that encourage "cluster developments that set aside fifty to seventy percent (50 to 70%) of the parcel as open space." Who knows what regulations might befall him from the Environmental Protection Agency (EPA) or the US Department of Housing and Urban Development (HUD) regarding, say, my well or septic tank? Don't laugh, although milorganite is approved for use as a fertilizer, EPA-demands for further testing at a cost of one to two (1-2) million dollars and two (2) years'

study caused the manufacturer to withdraw plans to market it as a deer repellent. There is too much to be suspicious of with respect to Agenda 21, ICLEI and the regulatory agencies of the US government. I endorse Roanoke Tea Party's demand that Roanoke County sever its relationship with ICLEI.

Mr. Chip Tarbutton of 917 Bruchs Mill Road in Fincastle Virginia stated he is President of the Roanoke Tea Party and wanted to address a couple of specific questions relating to the Tea Party's interest in having the County sever ties to the organization known as ICLEI. First of all, when talking about sustainable development and he would not belabor the sustainable development information as it is pretty much the same information the Board has already heard. However, he added there has been some doubt whether or not ICLEI is related to the United Nations. In a quick "Google" search of ICLEI and UN, documents will quickly reveal that is absolutely the case. In Virginia alone there are over sixty (60) communities that have active ICLEI relationships and if you go across the globe, anywhere from Miami to Malaysia you will find groups involved in ICLEI. What is suspicious or troubling is they all have the same exact specific land use formula in all those areas. ICLEI has been designated by the UN as a special consultative partner for the implementation of Agenda 21 and this was reaffirmed by the General Secretary of the UN just last month. So now you have heard about what it is and it is easier to describe what it is not. There are a lot of documents out there where the UN has defined what is not sustainable. Maurice Strong, Secretary-General of the UN Rio Earth Summit, said "current life styles and consumer patterns of the affluent middle class involving high meat intake, use of fossil fuels, appliances, home and work air conditioning and suburban housing are not sustainable." Mr. Tarbutton stated he does want his air conditioning rights now, and does not know about everyone else. Does ICLEI have an impact on County decision making? It is unclear how much direct impact ICLEI has, but there are a few things that are clear. Four (4) members of the current Board of Supervisors on February 24, 2009, signed an agreement to reduce carbon dioxide omissions in Roanoke County for all County residents by thirty percent (30%) by 2020, which begs a question, what direct actions can the County Board of Supervisors do to hit that goal. As Donald Koop mentioned before, there is a lot of talk in the current comprehensive plan about cluster developments, which is really the goal of the ICLEI group. There are eight (8) different places where they are encouraging cluster development and this is also a quote from the current comprehensive plan, "recognizing that our national systems are vital for providing both economic means and quality of life for all citizens" sustainable development has been incorporated into the County's planning. So, no one argues with the need to protect the environment as the County's biggest draws is its gorgeous, natural settings. Perhaps the Board did not understand exactly what sustainable development is really about when they signed on the document in 2009, but he begs the questions what kind of things will the County do to get that thirty percent (30%) reduction. Will the Board sanction giant, noisy windmills that have a nasty habit of catching fire, along Poor Mountain's ridgeline? Will you be forcing or encouraging

people to go into cluster development through taxes and fees as advocated by ICLEI doctrine. The Board of Supervisors have demonstrated they won't be bullied by the State and the bad zoning regulations, Mr. Tarbuton asked that the Board take the same courageous steps with ICLEI and sever the relationship with the UN as a Spartanburg, SC, Carroll County, MD and Albemarle County, Virginia have done.

Ms. Linda LaPrade lives at 5509 Will Carter Lane in Roanoke, Virginia 24014 stated like all of you, she wants to preserve this area for future generations. She believes that we can do this while preserving the Board's right to enact proper ordinances for this locality and our rights as property owners without membership in ICLEI. This quote is from what is received with ICLEI membership dues. "Upon receipt of membership fees and resolutions to join, your jurisdiction will be considered a full ICLEI member. All ICLEI council members are governed by the ICLEI charter." In other words, when the Board chose to join ICLEI, they accepted for us all of the ICLEI mandates that are present and that will come. We, the voters, had no voice in this decision. The information I give to you now is from the ICLEI website. Their Secretary General states that they must become "more radical, and must focus on urban sustainability, and must connect local government to UN and other international bodies." They go on to state the end result should be a local action plan, which will contain a menu of policies, programs, and measures to be followed. They also say that local authorities should modify codes and administrative approvals for new construction and existing buildings to support their goals. Local investment capital in roads, streets, etc. should be available for compact communities. Where does that leave the rest of us who choose not to live in compact communities? They would also like to protect ten percent (10%) of undeveloped land and to discourage any use of prime agricultural land except to grow crops. Chapter one states, "The use and tenure of land should be subject to public control." ICLEI does not care about Roanoke County and its beauty or preserving its beauty. ICLEI wants to gradually and with words that play into our environmental concern take control and the Board is going along with this. Look at the goals of RCCLEAR and look at ICLEI mandates, they are exactly the same. The more she learns, the more sure she is the Board is unknowingly giving them your power. She advised she is concerned that the Board, through the decision to be a part of this organization, is also giving them our rights as landowners and citizens, all without our consent. What reason could you possibly have for staying in this organization? Any money that is received could only be used to implement their goals. The Board and its citizens, not the UN and not its tentacles, are stewards of the area. The citizens trusted the Board with their votes to make the right decisions for us. Please do what is right for everyone and get out of this organization.

Roberta Johnson of 9964 Patterson Drive, Bent Mountain VA 24059 stated she is here to address a proposed zoning ordinance change. As written, the proposed zoning amendment regarding large and utility wind turbines will cause incompatible industrial use of "Land Use Areas" designated as Agricultural, Rural

Preserve Districts -- degrading the important scenic and biodiverse natural comers of our county. The *Comprehensive Plan*, the *Future Land Use* guidelines, the *2010 Vision Statements*, and the *Zoning Ordinance* commission you (as our representatives) to "protect and preserve the inherent environmental and natural resources within the County." The Zoning Ordinance itself states that its purpose is to "provide for the preservation of agricultural and forestal lands" and to "protect surface and groundwater resources." Construction of massive four hundred to five hundred (400-500) ft. industrial wind turbines on our ridgelines is counter to all of these directives. Even in the case of a proposed Poor Mountain 18-tower installation which, contrary to popular belief, is NOT on the same ridgeline as existing communication towers, two (2) undeveloped forested ridges will be cleared and graded and most likely, a pristine spring branch cove between those mountain tops will be filled with the grading and excavation debris. Picture the debris from foundations that are each potentially 2,500 sq. ft. on the surface and ten to forty (10-40) ft. or more into bedrock. This is an industrial site, not an agricultural or rural scene. Therefore, she stated she would like to point out two specific weaknesses. First, these amendments have no provision for disposal of debris from road and site grading, or from blasting and digging the turbine platform foundations. In Agricultural/Rural Preserve Districts all excavated materials should be hauled away and not dumped "over the hill" to fill in spring branch coves. On Poor Mountain, for example, the spring fed depressions between the ridges are the source of Big Laurel and Bottom Creeks -- two creeks of the "highest quality water" in Virginia. These, in turn, are the headwaters for an EPA Tier III stream and the Roanoke River. Furthermore, the plant and animal populations would be obliterated. We need to know which of these unique plants and animals are threatened by such construction and disposal projects before installation is completed. Therefore, my second and last concern is that while there are at least four (4) references in the amendments to the "pre-existing natural site conditions," it is inappropriate that it is the applicant who is to provide this information during the permitting process. "The fox watching the henhouse?" This could yield a very biased site analysis. Such facts need to be determined by scientific survey methods, and not by parties with vested interests. The ordinance should state that "unbiased third party scientists and professionals approved by the County or the State" will be the sources of this information.

Mr. Bill Gregory of 3312 Pamlico Drive in Roanoke, Virginia stated he has been a resident of Roanoke County for eighteen (18) years. He advised the presence of ICLEI in Roanoke County seems harmless enough on the surface. ICLEI through the County organization called RCCLEAR is implementing a carbon-dioxide reduction project. They used the term green-house gas emissions, but what they are really referring to is carbon dioxide. This is evident in Roanoke County's website and ICLEI's website. One of the problems he sees with the County's involvement with ICLEI, the term "man-made" global warming has been replaced with climate change by both the UN and ICLEI. They have changed this terminology because they have been embarrassed into admitting there was no science behind their assertions that carbon

dioxide was destroying the planet. The notion that climate change has been caused by man is the same red herring as "man-made" global warming. The scandals that plague the UN International Panel on Climate Change, the IPCC, are ample proof of this assertion, which brings up his next problem with the County being a member of ICLEI. If the basis of Roanoke County initially becoming a member of ICLEI was based on a theory then why would you consider remaining a member of this organization? Mr. Gregory states he also has a copy of a survey sent out by local AGENDA 21 that is called LA21, sent out by ICLEI that he has provided to the clerk. On the survey, the definition of local Agenda 21 as follows: "A participatory, multispectral process to achieve the goals of Agenda 21 at the local level through the preparation and implementation of a long-term, strategic action plan that addresses priority local sustainable development concerns." He stated he would like to know if any of the County employees or Board of Supervisor members have received this survey and whether it has been returned. This is an official request to the Chairman of the Board.

Chairman Church advised Mr. Goodman to handle the request at a later time.

Lawrence Aldridge lives at 3408 Wedgewood Road, SW and stated as a Roanoke County resident, he is here to protest the County's membership in ICLEI - Local Governments for Sustainability. He is aware that the annual dues to ICLEI are \$1200 a year and would like to know if the County has provided any other funds to ICLEI or the County approved organization called RCCLEAR, which is tasked with carrying out the carbon dioxide reduction program mandated by ICLEI. He stated he would appreciate an answer in writing to his address provided with his comments. Consider this a request under the Freedom of Information Act. Even if the only funds provided to ICLEI have only been \$1200 a year, he objects to using any taxpayer funds to support the U.N. backed "Agenda 21" group. The Board is the steward of taxpayer money and has the responsibility to see that it is spent wisely. He does not see where wise stewardship is at hand spending County residents' money on a UN initiated program based on the questionable "man-made" global warming theory. He stated he strongly objects to his local governmental officials engaging in a contract with any organization that is pursuing this dubious agenda and that can dictate to the County Board of Supervisors. Do not doubt that the Board is being dictated to by ICLEI. By engaging with this U.N. affiliated organization, the Board is buying into a directed, and now fast becoming politically correct, form of environmentalism that has no basis in fact. Furthermore, he hopes the Board understands its role in protecting citizen rights. Please read paragraph two of the Declaration of Independence. Among other things it explains the primary role as government is to protect our rights. The policies the Board has put in place with the help of ICLEI have taken away rights, not protected them. The Board is allowing the camel's nose under the tent. Therefore, he formally asks the Board to withdraw membership from ICLEI now.

Mr. Stan Seymour of 5942 Coleman Road stated he came to the meeting to talk about ICLEI. He stated he is philosophically opposed to anybody outside this

country outlining how he should use something that he owns and pays taxes on. He is just philosophically opposed to another country telling him what to do with something he owns.

Ms. Robert Hardin of 3044 Stoneybrook Drive in the Windsor Hills Magisterial District stated she received a letter today which will be provided to the Clerk. Americans for Prosperity was asking that we tell the EPA and the Army Corps of Engineers how we felt about private property rights. If time permits, she will read the letter. "Dear Robert, President Obama wants to control all the land and all the water in the United States. Legislation that would have deleted the word "navigable" from the federal Clean Water Act and given the EPA and Army Corps of Engineers jurisdiction over every drop of moisture in the country crashed and burned last Congress, ending the 36-year congressional career of its lead sponsor, Jim Oberstar, in the process. But Obama's EPA as usual, won't take no for an answer, and is now attempting to ignore two Supreme Court decisions, commonsense, and the American people and vastly expand federal Clean Water Act jurisdiction via a guidance document. A bipartisan group of 170 members of Congress told them not to, but they are doing it anyway. If the EPA and Army Corps succeed, they can exercise effective control over all land and water in the United States. The green groups are fired up and pouring comments into the docket supporting this outrageous power grab, and we need to fight back. Click here to tell the EPA and the Army Corps to STOP their back door assault on private property rights. The docket closes on July 31st; there is no time to spare. Please take action today! Sincerely, Phil Kerpen Vice President, Policy Americans for Prosperity." My answer to the EPA and the army engineers was something like this: Subject: The EPA and Army Corps of Engineers and We the People's Water Congress spoke. Period. End of debate. The Constitution does not give the president legislative powers; nor does it give such powers to unelected officials. Back off. She stated she uses this as an example of how crazy things are becoming. She does not consider many of the goals of ICLEI to be constitutional either and thinks they are fighting against her personal property rights. She stated she thinks it is time for common sense and the rule of law to be applied. She came tonight to request that the Board withdraw from ICLEI as soon as possible and thanked the Board for considering her request.

Mr. Richardo Moreira who lives at 3790 Fairburn Drive stated he has lived in Roanoke County for about eleven (11) years. First, he thanked the Board for standing up against the UDA mandate and stated he was very proud to be a member of the group here in Roanoke County. He stated he is concerned with ICLEI. People talk about the United Nations, but seems nobody wants to talk about where it was created. The United Nations was created on the Bohemian Grove, which is a well known fact. The Bohemian Grove is a club where the most wealthy, richest men in California and the decision to move to the United Nations is not in the best interests of the people, but the interests of big business and corporations. He stated he does not think they care about green, nature or about life; they care about control. Agenda 21 pushes to take away our God-given rights, our natural rights, private ownership, water properties, etc.

He stated what is interesting is the document that created this country is the Declaration of Independence and the document is very clear. When government is taught to recognize natural rights it is time for the people to replace it. So with this in mind, he appreciates the Board vote against the UDA, but does not understand is why the Board cannot go ahead and stop the ICLEI thing and stop the support for ICLEI. Is there a reason citizens should know about? Please consider that.

Mr. Neal Ward of 5325 Flagler Drive in the Hollins District stated he is not going to belabor the Board with any more facts and figures, what he would like the Board to consider is the principal of freedom. Freedom is something that he does not take lightly. This country, the Declaration of Independence, the Constitution of the United States, the Constitution of Virginia were all written by great men like Patrick Henry and Thomas Jefferson. These are things that men were willing to live, fight and die for; give their all. George Washington fought from Virginia past Fort Ticonderoga in New York with his men with no shoes in the middle of winter. What was the reason, what was the very thing that these men fought for? It was the idea of freedom, not liberty. Liberties are given to us by governments. Freedom is our inalienable right. This is what concerns him this evening. Those men in the war for independence, the War Between the States all the way to the wars now in Iraq, Afghanistan. What are these people fighting for? They are fighting for the principles of freedom. So the United States, the greatest country that has ever been known to man was made great by the greatest document ever known to man. If we take our marching orders from the UN, from any other group but the constitution of the United States or the constitution of the Commonwealth of Virginia, written by those great men, we have done a disservice to every man and woman in uniform, a disservice to every citizen and a disservice to every hard-working American in the country. We take our marching orders from the constitution, not from the UN and he would like the Board to consider that and think about what freedom means to the Board members as individuals, because it is something he is willing to give himself for himself, his family, the Board and everyone here. These things are important and we do not hold onto them, we will lose and are losing our freedoms. He would like the Board to reconsider ICLEI and any involvement with it. Roanoke County has been around since he thinks 1838 and has done it on its own and it can still be done in the future. The citizens and this Board can decide for themselves what is best for this county and he does not think they need any help from an outside group; not from Europe, not from New York. We can do it right here in Roanoke County.

Mr. Bill Vanvelser of 393 Cox Road in Troutville, Virginia stated he is here in reference to pending regulations regarding industrial scale wind turbines at Poor Mountain. He is opposed to industrial scale wind turbines, not just in his backyard, but really in anyone's backyard. He stated he is not an enemy of humanity any more than the wind energy companies altruistic environmentally. Tehachapi, where he is from, is now the home to over 5,000 industrial scale wind turbines. In Tehachapi, big wind sold the citizens down the river by promising jobs, tax revenue and the "feel good" about

saving the planet. Only the latter remains, the first two never played out in anything like the numbers promised by the wind farm developers. This issue was as derisive in Tehachapi as it promises to be here and now in Roanoke County. Without generous state and federal subsidies this discussion would not be held because wind turbines cannot begin to be cost effective anywhere at any time without substantial tax payer support. He stated he was not always so opposed to industrial scale wind turbines. He remembered a time when his opinion of them was benign, if he had an opinion at all. It was the way in which the wind turbine companies conducted business that began to turn him against them. That and the appearance of wind farms near his parents' twenty (20) acre parcel in Tehachapi. Their property value has been adversely affected as a result. There was no question about that. There will be no compensation for that. His parents are not by any means the only ones. As stated earlier, there are now over 5,000 wind turbines and more are on the way, built by seventeen (17), by last count, separate wind turbine developers all operating countless numbers (he has lost count) of wind farms there now and it all started just like this. As recently as February 2011, the Tehachapi News reported a typical standing-room only meeting in the Sand Canyon area. The concerns there should provide Roanoke County and all area residents an opportunity to pause and reflect upon the thoughts of a community that has as much experience with wind farms as anyone. The issues do not go away. Their concerns were and remain: flying blades from wind turbine failures caused by improper maintenance. This happens on a regular basis; fire danger from overheated turbines and the failure of their braking systems and in a recent Tehachapi fire last year there was grave concern over the approach by aircraft attacking that fire, which burned somewhere in the neighborhood of eleven to fourteen hundred (1,000-1,400) acres. There were some days when the aircraft could not approach that fire and could not be used on that fire because of the presence of wind turbines; the blocking of "beautiful views by seventeen (17) massive four hundred and seventy (470) foot turbines; noise and finally strobe lights. There are serious negative implications to building four hundred to five hundred (400-500) foot high wind turbines that will likely be in place for the rest of our lifetimes. Once they are up, the wind energy corporations are not going to take them down. So the decision made here and now by Roanoke County will be decisions that the residents of the entire valley will have to live with for generations.

Mr. Xavier Scott of 8443 Poor Mount Road, Bent Mountain, Virginia stated he has lived on his family farm on Bent Mountain for all of his life. He is also speaking on behalf of his brother and sisters who were unable to attend this meeting. They hold in our inheritance over one hundred (100) acres on Bent Mountain adjoining the proposed wind farm. They have been raised knowing they would always have the option of building our future homes on this land. My brother and his wife had already planned to build a house on the land, unfortunately based on evidence from existing wind farms, the proposed ordinance will allow turbines too close to be able to build a home and live on the family farm. This data is reinforced by the most comprehensive turbine noise study to date conducted by Dr. Robert Thorn, who recommended no

dwelling be within one and one quarter ($1 \frac{1}{4}$) mile of any industrial turbine complex. This distance must be to the property line to protect his family's future building plans. He stated he believes all County residents, including those holding developed properties adjoining turbines sites be afforded equal protection as declared in the noise ordinance. As he continues toward my commission in the United State Navy to defend the liberty of each and every American including those in Roanoke County, the County in his absence is proposing to take his liberty of building on his own land from him. He is asking the Board to do their duty and protect his property as he goes forward to protect ours.

Mr. James Scott of 8442 Poor Mountain Road, Bent Mountain, Virginia stated he has a master's degree in environmental engineering from Virginia Tech so he is speaking as an engineer and researcher. Since March 2010, when he sent his first letter to the Board expressing his concerns regarding these large wind turbines and this ordinance, he has continued to study the turbine noise issue. He has recently spent several hours with Dr. Burdisso at Virginia Tech, who is an acoustical expert and he has confirmed his fear that the sixty (60) decibels that is being proposed is too high and is in fact reckless, especially as related to the Poor Mountain site. He would like to frame his comments under Section 30-14-1(a) of the zoning ordinance that requires prior to any amendments that the Commissioner shall determine and this should have happened with the Planning Commission, the zoning ordinance reads that the Commissioner shall determine the effect on surrounding property. This has not been done. The ordinance cannot be adopted as written because no one from the Planning Commission has even talked to him about his future plans for his property and has never been on the property. All the noise and shadow flicker analysis that is required in this ordinance must be conducted on all surroundings property per the zoning ordinance requirement. The language in the ordinance only requires the noise compliance to be certified at the property line, this does not constitute an evaluation of an effect to surrounding properties. The noise analysis should read similar to the way the shadow flicker analysis reads, and evaluates the effect on surrounding properties in terms of land use. So, how will this sixty (60) decibels impact our property? There are worldwide, documented reports of health problems from turbines from people living near turbines that we sited with much lower noise limits. For example, in May 2009 the Minnesota Department of Health, which he has given the full report twice to the Planning Commission, the legislature demanded that they conduct a study because of the problems they are having in Minnesota at fifty (50) decibels. They found that fifty (50) decibels is too high for low frequency noise. He asked why does the Planning Commission and why does the Board propose to adopt an ordinance that is ten (10) times higher than what they already know to be a problem. In Europe, they use a standard of thirty-five to forty (35-40) decibels for design and this has proven to provide reasonable protections to people. The Planning Commission recognized these noise problems by requiring a one half ($1/2$) mile setback from existing dwellings, but most of our land is undeveloped and you just heard from my son who plans to build there. What

is that other than essentially the County placing an easement on our property where we cannot build, because nobody can build close to these turbines, which is what the ordinance proposes? A more logical and certainly more responsible approach to establishing these limits, would be to look at what is and what is not working. We have seen from Minnesota that fifty (50) is too high, that thirty-five to forty (35-40) works in Europe, so he proposes that the Board adopt a thirty-five (35) decibel limit as a starting point rather than what is the world's highest noise limit, with the exception of one county in California that he is aware of that is a wind district, where there are no residences allowed. Thomas Jefferson did state succinctly, the purpose of government is to prevent men from injuring one another. This principal of non-injury maximizes general liberty for all rather than enhancing the well-being of some at the expense of others. This zoning amendment proposed by the County, maximized financial gains of the County, but it also maximized property value loss for nearby residents. As he brought up in his letter, he has heard there were some concerns about not having an ordinance in place that is why over a year ago he recommended that the Board consider a temporary moratorium to allow for proper and responsible development in this County.

RE: REPORTS AND INQUIRIES OF BOARD MEMBERS

Supervisor Elswick commented on the letter recently in the newspaper talking about access for handicapped people throughout the area. He applauded the paper for running the article because he had worked with a lady who had some trouble getting into the Kroger store. He called the Kroger home office and even though they did not call him back, they fixed the problem in no time at all. Those of us who can walk and talk and see normally should appreciate that and do everything we can to help those who cannot.


Supervisor Moore thanked everyone that came today to talk about ICLEI and RCCLEAR. RCCLEAR is a community based program. It is a committee for citizens made up of citizens of Roanoke County and we want to preserve our environment. She stated you may not believe in climate change or greenhouse gas, which is carbon dioxide, which we are trying to reduce. We do believe if we do not preserve and sustain what we have here today, we will not be able to leave clean air, water, and a non-polluted valley. We live in our valley, this is our valley and some of us have lived here all of our lives, including herself. We can learn on the local level on things that we can do and things that we do every day in the smallest way do make a difference.

Chairman Church thanked everyone for attending and commented they have a county government that you can come anytime you want to speak under citizen comments. The Board values their input and participation. Chairman Church announced the August 23, 2011, meeting will begin at 6:00 p.m. and anyone that wants to sign up to speak will be heard. The Board has cancelled the August 9, 2011 as there are no agenda items to be brought forth.

IN RE: ADJOURNMENT

Chairman Church adjourned the meeting at 8:11 p.m. until the August 23, 2011, meeting.

Submitted by:



Deborah C. Jacks
Clerk to the Board

Approved by:



Joseph B. "Butch" Church
Chairman